

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. Claims 1-7 are rejected. Claims 1-7 are canceled without prejudice or disclaimer. Claims 8-17 are added by this amendment. No new matter has been added.

Support for new claims 8-17 can be found in the specification. Specifically, support for the processor of claim 8 can be found, *inter alia*, on page 12, line 19 – page 13, line 5. Support for the first component can be found, *inter alia*, on page 12, lines 4-13. Support for the second component can be found, *inter alia*, on page 11, line 20 – page 12, line 3. Support for the third component can be found, *inter alia*, on page 12, lines 14-18. Support for claims 9 and 10 can be found, *inter alia*, on page 12, line 14-18. Support for claims 12-15 can be found, *inter alia*, on page 11, lines 4-19. Claim 16 is similar to claim 8, thus the support for claim 8 also supports claim 16. Support for claims 17 can be found, *inter alia*, on page 11, lines 4-14.

REJECTION OF CLAIMS 1-7 UNDER 35 U.S.C. §101

Claims 1-7 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Specifically, the Examiner asserts that:

For a claim to be statutory under 35 USC 101 the following two conditions must be met:

- 1) In the claim, the practical application of an algorithm or idea result in a useful, concrete, tangible result, AND
- 2) The claim provides a limitation in the technological art that enables a useful, concrete, tangible result.

As to the technology requirement, note MPEP Section iV 2(b). Also note *In Re Waldbaum*, 173USPQ 430 (CCPA 1972) which teaches “useful arts” is synonymous with “technological arts”. *In re Musgrave*, 167USPQ 280 (CCPA1970), *In re Johnston*, 183USPQ 172 (CCPA 1974), and *In re Toma*, 197USPQ 852 (CCPA 1978), all teach a technological requirements.

This rejection is moot in view of the cancellation of claims 1-7. Thus, the undersigned representative requests that this rejection be withdrawn.

REJECTION OF CLAIMS 1-7 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Claims 1-7 stand rejected under 35 U.S.C. §112, second paragraph. Specifically, the Examiner asserts that:

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is vague and indefinite and unclear of what are the specific function being traded.

This rejection is moot in view of the cancellation of claims 1-7. Thus, the undersigned representative requests that this rejection be withdrawn.

REJECTION OF CLAIMS 6 AND 7 UNDER 35 U.S.C. §112

Claims 6 and 7 stand rejected under 35 U.S.C. §112, first paragraph. Specifically, the Examiner asserts that:

Claims 6-7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The disclosure is not descriptive in the description of the various classes of components in relationship with various functions. It is also unclear of what interactive functions or method steps are being performed.

This rejection is moot in view of the cancellation of claims 1-7. Thus, the undersigned representative requests that this rejection be withdrawn. Please note that support for new claims 8-17 has been provided above.

REJECTION OF CLAIMS 1-7 UNDER 35 U.S.C. §102(b)

Claims 1-7 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,674,044 to Kalmus *et al.* ("Kalmus"). Specifically, the Examiner asserts that:

Kalmus et al. teach:

→ A system for interacting between a customer and a trader comprising:
a first component containing a library of trading specific functions (18);
a second component containing common functions that are shared by a plurality of customers (13); and

a third component containing functions for communicating between the first and second component and a trading system (188);

wherein the third component contains functions for synchronous communication between the second and third components, and the trading system (10);

wherein the third component contains functions for asynchronous communication between the second and third component, and the trading system (10);

wherein the first through third components contains functions for multiple customers at one time (13; fig.1).

→ A method for interacting between a customer and a trader comprising: creating a first class component containing trading specific functions (18); creating a second class component shared by a plurality of customers (13); creating a third class component containing functions for communicating between the first and second components and a trading system (188); and wherein the first, second and third class components are created when a new client logs on (13).

This rejection is moot in view of the cancellation of claims 1-7. Thus, the undersigned representative requests that this rejection be withdrawn.

CONCLUSION

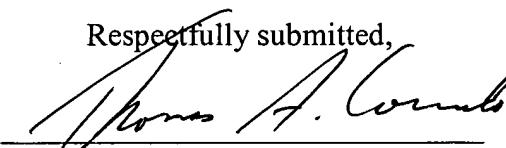
The foregoing is submitted as a full and complete Response to the non-final Office Action mailed February 23, 2004, and early and favorable consideration of the claims is requested. If the Examiner believes any informalities remain in the application which may be corrected by Examiner's Amendment, or if there are any other issues which may be resolved by telephone interview, a telephone call to the undersigned attorney at (202)508-5843 is respectfully solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1458, and please credit any excess fees to such deposit account.

Dated: August 23, 2004

KILPATRICK STOCKTON LLP
607 14th Street, Suite 900
Washington, DC 20005-2018
Phone 202-508-5800
Fax 202-585-0045

Respectfully submitted,



Thomas A. Corrado

Thomas A. Corrado
Attorney for Applicant
Registration No. 42,439